



Response Under 37 C.F.R. § 1.116
U.S. Appln No. 10/727,493

Q78867

REMARKS

Claims 1-14 are all the claims pending in the application.

Formal matters

On December 1, 2006, Applicant's representative called the Examiner to attempt to initiate an interview with the Examiner. The Examiner's voicemail, however, indicated that the Examiner is on maternity leave until January 2007. Applicant's representative then called the Examiner's Supervisory Patent Examiner, who said she would reassign the case to a new Examiner, and that Applicant's representative should request an interview of the new Examiner.

Applicant's representative herewith submits form PTOL-413A for an Applicant Initiated Interview, and respectfully requests the Examiner to grant the interview in order to both help bring the Examiner up to speed and to move prosecution forward in the case.

Substantive matters

Briefly, the Examiner has maintained the rejections of the March 13, 2006 Office Action, and has responded to our arguments. On page 10 of the Final Office Action, the Examiner responds that she considers "measuring a continuous change of a voltage" to encompass sampling the voltage sense line over the duration of the capacitor discharge, as is shown in Fincke by the sampling voltage sense line 146, and that "[s]uch continuous sampling provides a measurement of how the voltage values change as the electric pulse is output from the electrodes.

However, Applicant respectfully submits that "such continuous sampling" (the Examiner's words) is not what is disclosed by Fincke. Sampling, by its very definition, means that a continuous change of voltage is not measured. There is simply no such thing as

“continuous sampling.” It is an oxymoron. It is axiomatic that a sampled signal results in necessary loss of information. By contrast, it is an object of the present invention to enable checking the appropriateness of an electric pulse by analyzing an output waveform and to display such waveform. See page 2, lines 15-20 of the present specification. To this end, the claims set forth measuring a continuous change of a voltage.

Accordingly, claims 1, 2, 13, and 14 each recite that the analyzer is operable to measure continuous change of a voltage of an electric pulse which has been actually output from electrodes adapted to be attached on the living body. This feature is not taught or otherwise disclosed by the Pless and Fincke combination. As such, claims 1, 2, 13, and 14 are patentable over the art of record. The remaining claims are patentable based on their respective dependencies.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

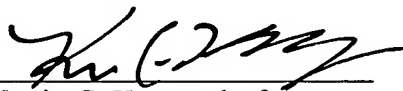
Respectfully submitted,

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